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SUBJECT: A ROCKY PATH FOR CANADA'S COPYRIGHT BILL

REF: OTTAWA 794

1. (SBU) Summary: Although stakeholders are generally pleased with Canada's recently introduced copyright bill, critics are working against it at a grassroots level and the opposition parties have thus far been critical. The bill will likely require several months of Parliamentary hearings, and it is still unclear whether the Government has enough votes to pass the legislation. The copyright bill's future could also be impacted if the Prime Minister clears the legislative agenda by proroguing Parliament or if the Government were to fall. End summary.

#### Legislative Process

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2. (SBU) On June 12, the Government of Canada introduced bill C61, An Act to Amend the Copyright Act (reftel). If all proceeds normally, after the House of Commons returns on September 15, the bill will be given a second reading, voted on in principle, and referred to the Industry Committee. After a bill receives a second reading, parliamentary procedures prevent amendments that would alter the "principle" of the bill. According to senior Industry Canada officials, the Industry Committee will likely hold several months of hearings. If the committee ultimately approves the legislation, it will be reported back to the House of Commons for votes on any Committee amendments, followed by third reading and a final vote. If passed by the House, the bill would be sent to the Senate, where it would go through a similar Parliamentary process. However, a decision by the Prime Minister to prorogue Parliament over the summer or an election triggered by the fall of the Government -- both rumored possibilities -- would clear all legislation currently before the Parliament, including bill C61.

#### Public Reaction

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3. (SBU) The opposition Bloc Quebecois and Liberal parties, while critical of bill C61, have not indicated how they will vote on the legislation. Some Bloc members of Parliament have suggested in constituent letters that the Bloc, while concerned about some aspects of the legislation, will support the bill in principle at second reading. Citing the 2007 unanimous Industry Committee and the Public Safety Committee reports calling for stronger IPR protection, many Canadian stakeholders believe that both the Liberals and the Bloc will ultimately support the bill. Either Party's support -- coupled with the ruling Conservative party -- would be enough to pass the legislation.

4. (SBU) Bill C61 was met with enthusiastic praise from the Canadian Chamber of Commerce, The Canadian Motion Picture Distributors Association, the Canadian Recording Industry Association, and other stakeholders. The Chamber, in

particular, is actively supporting the bill. In addition to press releases and op-eds, Chamber leadership is urging local chapters to raise the merits of the bill in their communities and with their elected representatives.

15. (SBU) Media coverage of bill C61, particularly in the blogosphere, has generally been negative. While Minister of Industry Jim Prentice asserts that the copyright reform is a "made in Canada solution," grassroots opposition, including an 85,000-member Facebook group (Fair Copyright for Canada), has labeled C61 the "Canadian Digital Millennium Copyright Act (DMCA)" claiming that the bill was introduced largely due to U.S. pressure and is a close copy of the U.S. DMCA.

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